

STATE OF MINNESOTA
IN SUPREME COURT

AMENDMENTS TO CODE OF PROFESSIONAL RESPONSIBILITY
REGARDING PREPAID LEGAL SERVICES

WHEREAS, the Supreme Court Study Committee on Prepaid Legal Services has recommended certain amendments to the Minnesota Code of Professional Responsibility, and

WHEREAS, the Minnesota State Bar Association at its convention on June 19, 1975, endorsed all of said Committee's recommended amendments except for DR 2-104(F) thereof, and

WHEREAS, the Minnesota State Bar Association at its convention on June 19, 1975, recommended further the adoption of the American Bar Association's February 24, 1975, amendment to American Bar Association Code of Professional Responsibility EC 2-33, and

WHEREAS, the Court held a hearing on the recommended amendments on September 12, 1975, and is fully advised in the premises,

NOW, THEREFORE, it is hereby ordered that, effective September 29, 1975, all the amendments recommended by the Supreme Court Study Committee on Prepaid Legal Services, including DR 2-104(F) thereof, are adopted in the Minnesota Code of Professional Responsibility, and that, in addition, the following language be added to said amendments as DR 2-104(B)(5) thereof:

"Any member or beneficiary who is entitled to have legal services furnished or paid for by the organization may, if such member or beneficiary so desires, select counsel other than that furnished, selected or approved by the organization for the particular matter involved; and the legal service plan of such organization provides appropriate relief for any member or beneficiary who asserts a claim that representation by counsel furnished, selected or approved would be unethical, improper or

inadequate under the circumstances of the matter involved and the plan provides an appropriate procedure for seeking such relief."

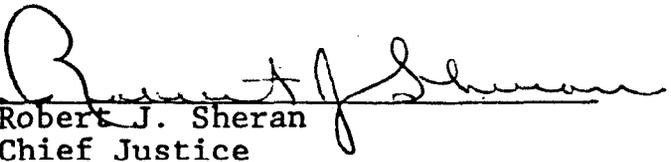
IT IS FURTHER ORDERED, that the American Bar Association's February 24, 1975, amendment to American Bar Association Code of Professional Responsibility EC 2-33 is hereby adopted, effective September 29, 1975, in the Minnesota Code of Professional Responsibility.

The Court does not intend to assume the role of regulating the rates that may be charged members by prepaid legal service organizations or providing requirements respecting the security of the funds collected by such organizations, on the view that the court cannot as feasibly deal with such matters as could the legislature.

The Court intends to review the provisions of the Code of Professional Responsibility applicable to prepaid legal services from time to time and reserves the right to make changes as may be needed, based upon experience and further study, to the end that the public which is served by prepaid legal service organizations shall receive adequate and competent legal services.

DATED: September 29, 1975.

BY THE COURT:


Robert J. Sheran
Chief Justice